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Attorney for Plaintiffs,  
Ric Schiff, *et al.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

Frederick (Ric) Schiff; Glenn Brakel; Alice  
Dicroce; Joseph Emanuel; Brian Greer; Clayton  
Harmston; Steven Haskell; Micah Hope; Daniel  
Kelly; Alexander Lentz; Brandon McKelley;  
Gerald Newbeck; David O'Keeffe; Christopher  
Ritter; Steven Uang and Thomas Walsh,

Plaintiff,

v.

City and County of San Francisco; Greg Suhr,  
individually; William (Bill) Scott, individually; and  
DOES 1-20,

Defendants.

Case No. 4:19-cv-03260-YGR

**Declaration of M. Greg Mullanax in Support of  
Plaintiffs' Opposition to Defendants' Motion  
for Summary Judgment or, in the Alternative,  
Partial Summary Judgment**

Hearing Date: July 26, 2022  
Time: 2:00 p.m.  
Place: Courtroom 1, 4<sup>th</sup> Floor  
Judge: Hon. Yvonne Gonzalez Rogers

Date Action Filed: June 11, 2019  
Date FAC Filed: June 26, 2019  
Date TAC Filed: April 28, 2020  
Trial Date: TBD

I, M. Greg Mullanax, do hereby declare and state:

1. "My name is M. Greg Mullanax. I am an attorney licensed to practice law in the State of California and am admitted to practice in the United States District Court, Northern District of California.

2. I represent plaintiffs in this lawsuit.

3. Attached as **Plaintiff Exhibit A** is a modified copy of defendants' Exhibit A to Jennifer Lo's Declaration, (ECF No. 83, ECF No. 83-1: Q-50 Sergeant List). I personally took Lo's exhibit and color-coded it by promotional round for demonstrative purposes. I did not change any of the underlying data on ECF No. 83-1. I added "PL" next to the names of the plaintiffs on the list. I also added a strike-

1 through on the ECF heading on the top of the document to make it easier to distinguish the ECF heading  
2 that will added when filed.

3 4. Attached as **Plaintiff Exhibit B** is a modified copy of defendants' Exhibit B to Jennifer  
4 Lo's Declaration, (ECF No. 83, ECF No. 83-2: Q-60 Lieutenant List). I personally took Lo's exhibit and  
5 color-coded it by promotional round for demonstrative purposes. I did not change any of the underlying  
6 data on ECF No. 83-2. I added "PL" next to the names of the plaintiffs on the list. I also added a strike-  
7 through on the ECF heading on the top of the document to make it easier to distinguish the ECF heading  
8 that will added when filed.

9 5. Attached as **Plaintiff Exhibit C** is a modified copy of defendants' Exhibit C to Jennifer  
10 Lo's Declaration, (ECF No. 83, ECF No. 83-3; Q-80 Captain List). I personally took Lo's exhibit and  
11 color-coded it by promotional round for demonstrative purposes. I did not change any of the underlying  
12 data on ECF No. 83-3. I added "PL" next to the name of the plaintiff on the list. I also added a strike-  
13 through on the ECF heading on the top of the document to make it easier to distinguish the ECF heading  
14 that will added when filed.

15 6. Attached as **Plaintiff Exhibit D** is a true and correct copy of excerpts from Mikail Ali's  
16 deposition transcript, dated September 28, 2021. I personally took the deposition and the deposition  
17 transcript excerpts in Exhibit D are accurate.

18 7. Attached as **Plaintiff Exhibit E** is a true and correct copy of excerpts from Rick  
19 Andreotti's deposition transcript, dated January 7, 2022. I personally took the deposition and the  
20 deposition transcript excerpts in Exhibit E are accurate.

21 8. Attached as **Plaintiff Exhibit E-1** is a true and correct copy of Exhibit A (excerpts from  
22 SFPOA Journal December 2017) from Rick Andreotti's deposition on January 7, 2022.

23 9. Attached as **Plaintiff Exhibit F** is a true and correct copy of excerpts from Toney  
24 Chaplin's deposition transcript, dated November 29, 2021. I personally took the deposition and the  
25 deposition transcript excerpts in Exhibit F are accurate.

26 10. Attached as **Plaintiff Exhibit G** is a true and correct copy of excerpts from Clayton  
27 Harmston's deposition transcript, dated December 29, 2021. I personally attended the deposition  
28 remotely via ZOOM and witnessed the complete deposition. The deposition transcript excerpts in Exhibit

1 G are accurate. I did redact some of the testimony on page 6 of Exhibit G.

2 11. Attached as **Plaintiff Exhibit H** is a true and correct copy of excerpts from David Lazar's  
3 deposition transcript, dated November 12, 2021. I personally took the deposition and the deposition  
4 transcript excerpts in Exhibit H are accurate.

5 12. Attached as **Plaintiff Exhibit I** is a true and correct copy of excerpts from Ann Mannix's  
6 deposition transcript, dated September 28, 2021. I personally took the deposition and the deposition  
7 transcript excerpts in Exhibit I are accurate.

8 13. Attached as **Plaintiff Exhibit J** is a true and correct copy of excerpts from Anthony  
9 Montoya's deposition transcript, dated January 7, 2022. I personally took the deposition and the  
10 deposition transcript excerpts in Exhibit J are accurate.

11 14. Attached as **Plaintiff Exhibit K** is a true and correct copy of excerpts from Robert  
12 Moser's deposition transcript, dated October 21, 2021. I personally took the deposition and the deposition  
13 transcript excerpts in Exhibit K are accurate.

14 15. Attached as **Plaintiff Exhibit L** is a true and correct copy of excerpts from Michael  
15 Redmond's deposition transcript, dated September 27, 2021. I personally took the deposition and the  
16 deposition transcript excerpts in Exhibit L are accurate. I did redact some of the testimony on pages 11 and  
17 12 of Exhibit L.

18 16. Attached as **Plaintiff Exhibit M** is a true and correct copy of excerpts from Hector  
19 Sainez' deposition transcript, dated April 5, 2021. I personally took the deposition and the deposition  
20 transcript excerpts in Exhibit M are accurate.

21 17. Attached as **Plaintiff Exhibit N** is a true and correct copy of excerpts from Frederic  
22 Richard Schiff's deposition transcript, dated March 16, 2021. I personally witnessed the complete  
23 deposition. The deposition was taken remotely by ZOOM, and I was with Frederic Schiff in my office in  
24 Fresno, California. The deposition transcript excerpts in Exhibit N are accurate.

25 18. Attached as **Plaintiff Exhibit O** is a true and correct copy of excerpts from Police Chief  
26 William Scott's deposition transcripts, dated April 6, 2021, and October 18, 2021. I personally took the  
27 depositions and the deposition transcript excerpts in Exhibit O are accurate.

28 19. Attached as **Plaintiff Exhibit O-1** is a true and correct copy of Exhibit 3 (Sworn

1 Promotional Process memo dated January 3, 2018) of Chief William Scott's deposition transcript (Exhibit  
2 O).

3 20. Attached as Plaintiff Exhibit P is a true and correct copy of excerpts from Joseph  
4 Emanuel's deposition transcript, dated December 28, 2021. I personally attended the deposition which  
5 was taken remotely by ZOOM and was present for the entire deposition. The deposition excerpt in  
6 Exhibit P are accurate."

7 *I declare under the penalty of perjury under the laws of the State of California and the United*  
8 *States of America that the foregoing is true and correct.*

9  
10 Dated: June 17, 2022

LAW OFFICE OF M. GREG MULLANAX

11  
12 By: /s/ M. Greg Mullanax

13 M. Greg Mullanax  
14 Attorney for Plaintiffs,  
15 Ric Schiff, *et al.*

Plaintiffs' Exhibit List

Exhibit	Name of Exhibit
A	Q-50 Sergeant List
B	Q-60 Lieutenant List
C	Q-80 Captain List
D	Ali Deposition
E	Andreotti Deposition
E-1	Andreotti Deposition – Exhibit A (SFPOA Journal Excerpts)
F	Chaplin Deposition
G	Harmston Deposition
H	Lazar Deposition
I	Mannix Deposition
J	Montoya Deposition
K	Moser Deposition
L	Redmond Deposition
M	Sainez Deposition
N	Schiff Deposition

Exhibit	Name of Exhibit
O	Scott Deposition
O-1	Scott Deposition – Exhibit 3 (January 3, 2018 Promotional Process Memo)
P	Emanuel Deposition